

## UNITED STATES DISTRICT COURT

for the

Western      District of North Carolina

United States of America

v.

Charles Morgan Harrell

Date of Original Judgment: 08/10/2022  
Date of Previous Amended Judgment: \_\_\_\_\_  
(Use Date of Last Amended Judgment if Any)) Case No: 3:21-cr-252-KDB-SCR-1  
 ) USM No: 12801-018  
 ) Taylor Goodnight  
Defendant's AttorneyORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months **is reduced to** \_\_\_\_\_.

*(See Page 2 for additional parts. Complete Parts I and II of Page 2 when motion is granted)*

Except as otherwise provided, all provisions of the judgment dated 08/10/2022 shall remain in effect.

**IT IS SO ORDERED.**

Signed: February 5, 2024

  
Kenneth D. Bell  
United States District JudgeEffective Date:  
(if different from order date)Kenneth D. Bell  
Printed name and title

**This page contains information that should not be filed in court unless under seal.**  
*(Not for Public Disclosure)*

DEFENDANT: Charles Morgan Harrell

CASE NUMBER: 3:21-cr-252-KDB-SCR-1

DISTRICT: Western District of North Carolina

**I. COURT DETERMINATION OF GUIDELINE RANGE (*Prior to Any Departures*)**

Previous Total Offense Level: \_\_\_\_\_ Amended Total Offense Level: \_\_\_\_\_

Criminal History Category: \_\_\_\_\_ Criminal History Category: \_\_\_\_\_

Previous Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months Amended Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

**II. SENTENCE RELATIVE TO THE AMENDED GUIDELINE RANGE**

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a substantial assistance departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- The reduced sentence is above the amended guideline range.

**III. FACTORS CONSIDERED UNDER USSG § 1B1.10 AND 18 U.S.C. § 3553(a) (*See Chavez-Meza v. United States, 138 S.Ct. 1959 (2018)*)**

Defendant had “status points” under U.S.S.G. §4A1.1 in Amendment 821. Defendant had 14 criminal history points before the addition of the 2 status points. (Doc. No. 23, ¶ 72). With the removal of 1 status point (because she had 7 or more criminal history points), criminal history points of 15 still equals a criminal history category of VI and thus no change in the sentencing guideline. Furthermore, Defendant does not qualify as a zero-point offender under §4C1.1 in Amendment 821.